

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
Statesville Division

Honorable Laura T. Beyer Presiding

FRIDAY, FEBRUARY 5, 2016

Steven G. Tate, Trustee

9:30 a.m.

- | | | | | |
|----|----|-----------------|----------|--|
| 1) | 13 | Michael L. Shor | 13-50008 | 3 rd continued hearing on Trustee's motion to dismiss or modify plan for payment default (76); debtor's response (77) |
|----|----|-----------------|----------|--|

PRO SE

- | | | | | |
|----|----|----------------|----------|--|
| 2) | 13 | Robin T. Shipp | 10-51739 | 3 rd continued hearing on debtor's objection to claim (103); response [Nationstar Mortgage, LLC] (107)

Hearing on debtor's motion to extend automatic stay (116); Trustee's response (117) |
|----|----|----------------|----------|--|

CUMMINGS
GRANTMYRE

- | | | | | |
|----|----|-----------------|----------|--|
| 3) | 13 | David D. Miller | 15-50060 | Hearing on Trustee's motion to dismiss or modify plan for payment default (22) |
|----|----|-----------------|----------|--|

HARPER

- | | | | | |
|----|----|-----------------|----------|--|
| 4) | 13 | April A. Gardin | 14-50911 | Hearing on Trustee's motion to dismiss or modify plan for payment default (38, 37) |
|----|----|-----------------|----------|--|

HORD

- 5) 13 Melody A. Staley 11-51370 Hearing on debtor's motion to substitute collateral (36)
- LAMONTAGNE
-
- 6) Adv. Bowers 14-05041 3rd continued pre-trial conference
v. 13 (19)
Kosofsky 14-50601
- SIGMON
PRO SE
-
- 7) 13 Jan Ruth Wellborn 14-50580 2nd continued status hearing on order confirming Chapter 13 plan (73)
- Hearing on debtor's application with affidavit to employ attorney Shiloh Daum of Sever Storey, LLP (91); Trustee's response (98)
- SPERRY
-
- 8) 13 John H. Bowman 15-50779 Hearing on motion for relief from stay and co-debtor stay [Credit Acceptance Corp.] (23); debtors' response (25)
Peggy L. Bowman
- TUTTLE
KEENAN
-
- 9) 13 Noble B. Coppage 15-50743 Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (14, 9)
- WILLCOX
-

10)	13	Thomas D. Gilchrist	15-50429	2 nd continued hearing on Trustee's motion to dismiss (22)
-----	----	---------------------	----------	---

COURT

11)	13	Glenn D. Snow, Jr.	15-50571	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (17)
-----	----	--------------------	----------	--

COURT

12)	13	John L. Fraley, Jr.	15-50574	2 nd continued hearing on motion to dismiss bankruptcy case for failure to file tax returns and provide for payment of priority tax claims [USA/IRS] (29)
-----	----	---------------------	----------	--

2nd continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (27, 22, 21, 14)

2nd continued hearing on objection to confirmation of plan [USA/IRS] (26, 23, 21, 14)

GARDNER
BECK

13)	13	Anthony G. Chapman LaDonna D. Chapman	15-50577	Continued hearing on debtor's objection to claim (11); response [USA/IRS] (13)
-----	----	--	----------	--

GARDNER
BECK

14)	13	Maurice R. Elledge	14-50477	8 th continued hearing on Trustee's motion to dismiss or modify plan for payment default (16)
-----	----	--------------------	----------	--

LANEY

15)	13	Gwyn H. Shew Billie Jo Shew	15-50248	Hearing on Trustee's motion to dismiss or modify plan for payment default (19)
-----	----	--------------------------------	----------	--

LANEY

16)	13	James L. Hampton Melanie K. Hampton	11-51107	Hearing on debtors' first motion to modify plan (29); Trustee's response (31)
-----	----	--	----------	---

BOLGER

17)	13	William F. Kent, Jr.	14-50857	Hearing on Trustee's motion to dismiss or modify plan for payment default (29)
-----	----	----------------------	----------	--

BOLGER

18)	13	David A. Bryan Pamela S. Bryan	15-50396	3rd continued hearing on debtors' first objection to claim (20); response [USA/IRS] (21)
-----	----	-----------------------------------	----------	--

2nd continued hearing on objection to confirmation of plan [USA/IRS] (24, 17, 15, 11, 7)

BOLGER

BECK

19)	13	Stephanie L. Johnson	15-50024	Hearing on Trustee's motion to dismiss or modify plan for payment default (34)
-----	----	----------------------	----------	--

MALLORY

20)	13	Wesley O'Neal Summers Cynthia N. Summers	15-50520	Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (19, 15, 8)
-----	----	---	----------	---

Hearing on motion to dismiss [USA/IRS] (29)

MALLORY
BECK

21)	13	James W. Mastin, Jr.	15-50655	Continued hearing on debtor's objection to claim (17); response [USA/IRS] (25)
-----	----	----------------------	----------	--

Continued hearing on Trustee's objection to confirmation and motion to dismiss (24, 21, 14, 8)

Hearing on motion to dismiss bankruptcy case [USA/IRS] (28)

MALLORY
BECK

22)	13	Robert L. Newland, III	14-50330	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (28)
-----	----	------------------------	----------	--

LUCK

- | | | | | |
|-----------------------------|----|------------------------------------|----------|--|
| 23) | 13 | Suzanne L. Carter | 14-50757 | Hearing on Trustee's motion to dismiss or modify plan for payment default (23) |
|
LUCK
----- | | | | |
| 24) | 13 | Samuel L. Wier
Melissa C. Wier | 14-50844 | Continued hearing on Trustee's motion to dismiss or modify plan for payment default (28) |
|
LUCK
----- | | | | |
| 25) | 13 | Sheila S. Broyhill | 14-50900 | 4th continued hearing on Trustee's motion to dismiss or modify plan for payment default (19) |
|
LUCK
----- | | | | |
| 26) | 13 | Ray M. Blevins
Alda B. Blevins | 15-50230 | 3rd continued hearing on motion for relief from stay [BB&T] (28); debtors' response (31) |
|
LUCK
MILLER
----- | | | | |
| 27) | 13 | Belkis L. Billings | 12-50952 | Hearing on Trustee's motion to dismiss or modify plan (39) |
|
FLIPPIN
----- | | | | |
| 28) | 13 | Wiillie K. Bryant
Ivy W. Bryant | 13-50155 | Hearing on Trustee's motion to dismiss or modify plan for payment default (30) |
|
FLIPPIN
----- | | | | |
| 29) | 13 | Ronnie L. Bates | 14-50241 | 2 nd continued hearing on Trustee's |

Sherrie L. Bates

**motion to dismiss or modify plan
for payment default (31)**

FLIPPIN

30) 13 Scott E. Lupinacci
Kaila M. Lupinacci

14-50766

**Hearing on Trustee's motion to
dismiss or modify plan for
payment default (20, 19)**

FLIPPIN

31) 13 Ernest H. Barnette
Betty H. Barnette

15-50110

**Continued hearing on debtors'
motion for sanctions against United
States Department of Treasury
Internal Revenue Service for
violation of automatic stay (20);
response [USA/IRS] (23)**

**FLIPPIN
BECK**

32) 13 Janine J. Welborn

15-50797

**Hearing on objection to
confirmation of plan [JPMorgan
Chase Bank, NA] (11, 5)**

FLIPPIN

33) 13 Ryan E. Siegmann
Susan A. Siegmann

11-50152

**Hearing on debtors' objection to
notice of post-petition mortgage
fees, expenses and charges (65)**

BRUDI/LAMONTAGNE

34)	13	William T. Honeycutt Marcelle H. Honeycutt	13-50764	Hearing on debtors' motion for hardship discharge and LF8HD (43, 42); Trustee's response (44)
-----	----	---	----------	---

BRUDI

35)	13	David R. Studer Heather M. Studer	13-50941	Continued hearing on debtors' motion to approve settlement (49); Trustee's response (52)
-----	----	--------------------------------------	----------	--

BRUDI

36)	13	Lynne J. Livingston	15-50560	Continued hearing on Trustee's motion to dismiss for failure to file documents (19)
-----	----	---------------------	----------	---

BRUDI

37)	13	LaTrina M. Cowan	15-50638	Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (13, 10, 2)
-----	----	------------------	----------	---

BRUDI

38)	13	Edwin L. Jones	15-50640	Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (15, 9, 2)
-----	----	----------------	----------	--

BRUDI

39)	13	Kevin D. Johnson Terri L. Johnson	15-50661	Hearing on Chapter 13 plan (14, 12, 2)
-----	----	--------------------------------------	----------	--

BRUDI

- | | | | | |
|-----|----|-------------------------------|----------|---|
| 40) | 13 | Edward E. Perkins | 14-50596 | Hearing on Trustee's motion to modify plan (36) |
| | | WOOD | | |
| | | ----- | | |
| 41) | 13 | Ricky L. Frye
Lisa H. Frye | 14-50737 | 2 nd continued hearing on Trustee's motion to modify plan and set liability of debtors as to claims (15); debtors' response (16) |
| | | | | 2 nd continued hearing on Trustee's motion for determination of status of claims in confirmed plan (14) |
| | | WOOD | | |
| | | ----- | | |
| 42) | 13 | Geneva L. Rhoades | 15-50292 | Hearing on Trustee's motion to dismiss or modify plan for payment default (31) |
| | | WOOD | | |
| | | ----- | | |
| 43) | 13 | Billy S. Schronce, Jr. | 15-50464 | 4 th continued hearing on motion for relief from stay and co-debtor stay [Carolina Trust Bank] (13); Trustee's response (15); debtor's response (16) |
| | | | | 3 rd continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (28, 26, 22, 11) |
| | | | | 2 nd continued hearing on objection to confirmation of amended plan [Carolina Trust Bank] (30, 26, 11) |
| | | WOOD | | |
| | | SUMMERLIN | | |
| | | ----- | | |

44) 13 Valerie R. Huffin 15-50709 Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (16, 9)

Hearing on objection to confirmation of plan [Bestway Rental, Inc.] (18, 9)

WOOD
SHEEK

45) 13 Mary Catherine B. Hoke 15-50740 Hearing on objection to confirmation of plan [Specialized Loan Servicing, LLC] (18, 16, 15)

Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (19, 16, 15)

WOOD
LAMB

46) 13 Franklin M. Armstrong 15-50763 Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (15, 9)

WOOD

47) 13 Raymond K. Gantt, Jr. 15-50865 Hearing on court order to appear and show cause (4)

WOOD

48) 13 Rhonda N. Hall 13-50604 Hearing on debtor's motion to modify plan (27); Trustee's response (29)

GOURLEY

- 49) 13 Sharon M. Walters 14-50146 Hearing on Trustee's motion to dismiss or modify plan for payment default (42)
- GOURLEY

- 50) 13 Susan T. Mullis 14-50605 3rd continued hearing on Trustee's motion for review (14)
- GOURLEY

- 51) 13 Randy E. Moose 14-50741 4th continued hearing on Trustee's motion to dismiss (18)
- GOURLEY

- 52) 13 Chester L. Loveless 15-50309 Hearing on Trustee's motion to modify plan (18); debtor's response (19)
- GOURLEY

- 53) 13 Greg M. McCourt 15-50510 3rd continued hearing on objection to confirmation of plan [Lisa K. Deaton] (20, 11); debtor's response (27)
- 3rd continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (23, 11)
- 2nd continued hearing on debtor's objection to claim (25); response [USA/IRS] (26)
- 2nd continued hearing on debtor's objection to claim (28)
- GOURLEY
M. ELLIOTT
BECK

- 54) 13 Teresa E. Meyers 15-50524 3rd continued hearing on objection

to confirmation of plan [Wells Fargo Bank, N.A.] (27, 9)

3rd continued hearing on objection to confirmation of plan [Nationstar Mortgage LLC] (29, 15, 9)

3rd continued hearing on objection to confirmation of plan [Nationstar Mortgage LLC] (35, 15, 9)

2nd continued hearing on debtor's objection to claim (23)

GOURLEY
WADSWORTH
BARRETT
BECK

55) 13 Jerry R. Watts
Pamela S. Watts

15-50634

2nd continued hearing on objection to confirmation of plan [USA/IRS] (14, 4)

GOURLEY

56) 13 Denita J. Pope

15-50643

Hearing on debtor's motion for moratorium (17); Trustee's response (18)

GOURLEY

57) 13 John B. Setzler

15-50644

Hearing on objection to confirmation of plan [CommunityOne Bank, N.A.] (22, 12, 7)

GOURLEY
RAYBURN

58) 13 Wannis R. Allen, Jr.

16-50010

Hearing on court order to appear
and show cause for dismissal of
case (4, 1)

GOURLEY

10:30 a.m.

59)	7	Joseph M. Phelan Cynthia J. Phelan	15-50831	Hearing on Trustee's motion for order vacating order granting application for waiver of Chapter 7 filing fee (16, 6)
-----	---	---------------------------------------	----------	---

PRO SE

60)	7	Steven W. Ailes Amie L. Ailes	15-50805	Hearing on motion for relief from stay [Cottman Transmission] (7); debtors' response (13)
-----	---	----------------------------------	----------	---

BRUDI
YNTEMA

CON'T TO 02/11/2016 AT 1:30 IN CLT

61)	7	Tyler B. Kline	15-50790	Reaffirmation hearing (9)
-----	---	----------------	----------	---------------------------

GOURLEY

62)	7	Robert L. Newman Sharon E. Newman	13-50207	2 nd continued hearing on Trustee's objection to claim (27); response [Dan Cedrone] (29) Compliance hearing on order granting motion to turnover (31, 25)
-----	---	--------------------------------------	----------	--

GRIFFIN
TAYLOR/CRAWFORD, TR.

63)	7	Robert B. Jones Maureen F. Jones	15-50784	Hearing on debtors' motion to waive appearance at 341 meeting (7)
-----	---	-------------------------------------	----------	--

HAMBY

- 64) 7 Cheryl M. Reynolds 15-50132 Continued hearing on Trustee's objection to exemptions (37)
- Continued hearing on debtor's motion to amend Schedule C (39); Trustee's response (41)
- JONES
TAYLOR, TR.

- 65) 7 Manfred N. Spaeth 15-50061 2nd continued hearing on debtors' objection to claim (27, 25, 23); response [Back Bowl I, LLC, Series C] (26, 24)
- Joy A. Spaeth
- LAMONTAGNE
TAYLOR, TR.
PARROTT

- 66) 7 David L. O'Neal 15-50702 Continued hearing on motion for relief from stay [Clear View Vision Armor, LLC and Edward M. Wallace] (14); debtor's response (16)
- MALLORY
PHILLIPS
HENDERSON, TR.

- 67) 7 Jacqueline L. Farrington 12-51055 Hearing on Trustee's motion to approve settlement of state court action nunc pro tunc to October 1, 2015 and authorizing payment of attorneys' fees and expenses to Special Counsel (27)
- VUJOVIC
SIGMON, TR.

68) 11 Jan M. Berkowitz

15-50673

Continued hearing on motion for relief from stay [McGuireWoods, LLP] (18); debtor's response (26)

Continued hearing on ex parte motion for an order directing Rule 2004 examination of Bruce E. Baldinger, Jan M. Berkowitz and the entities they control including (i) Newlead Jmeg, LLC, (ii) Jaea Holdings, Inc., Bergam Holdings, Inc., (iii) Ariandne Holdings, LLC, (iv) J. Mining & Energy Group, Inc., and (v) Ket Holdings, LLC [Matteo Patisso] (27); debtor's response (30)

Continued hearing on debtor's objection to claim of TransAsia Commodities Investment Limited (31); response [TransAsia Commodities Investment Limited (44)]; debtor's brief (63)

Continued hearing on motion to strike response to Rule 2004 motion [Matteo Patisso] (35); debtor's response (30)

Continued hearing on ex parte motion to seal [Transasia Commodities Investment Limited] (47)

Hearing on ex parte motion for order pursuant to Bankruptcy Rule 2004 authorizing and directing the examination by deposition of, and production of documents by, debtor Jan M. Berkowitz [TransAsia Commodities Investment, Limited] (46); debtor's response (50)

Hearing on debtor's Chapter 11
disclosure statement (59, 1); BA's
objection (66)

WRIGHT
BANKRUPTCY ADMINISTRATOR
PRYOR
PRO SE
FREED/EGGLESTON

69)	Adv. Crawford v. Bollinger, et al.	13-05032 7 11-51092	4 th continued hearing on defendant's motion to dismiss, or motion to sever and motion for a more definite statement (12); plaintiff's response (20)
-----	--	---------------------------	---

SHADDOCK/TAYLOR
ELLIOTT
COOPER
WOOD
TUTTLE

70)	Adv. Crawford v. McConnell, Sr., et al.	13-05010 7 12-50757	Status hearing on rescheduled trial (37, 1)
-----	---	---------------------------	--

SHADDOCK/TAYLOR
ELLIOTT

**FEB. TRIAL DATES GIVEN TO THEM IN
DECEMBER BUT HAVEN'T HEARD BACK**

71)	11 Apostolic Faith Churches of Deliverance	14-50902	3rd continued hearing on motion to withdraw [Jimmy R. Summerlin, Jr.] (56)
-----	---	----------	--

SUMMERLIN

11:00 a.m.

72) Adv. Varela, et al.
v.
Reece

14-05038
13
14-50488

6th continued pre-trial conference
(13)

Continued hearing on plaintiffs'
motion for summary judgment (25);
brief in support (26); defendant's
response (28)

VERMITSKY/NARDONE
SHUMANTE/PENNEBAKER

CON'T TO 02/11/2016 AT 10:00 IN CLT
